

In response to Mayor Pro Tempore Hitchcock, City Attorney Schwabauer offered the following language to be included in the conditions of the resolution: "Wal-Mart shall provide proof of sale of the existing Wal-Mart property located at 2350 West Kettleman Lane prior to the issuance of the building permit for the new Wal-Mart Supercenter without condition on the right of the purchaser to sell or tenant the existing Wal-Mart."

MOTION:

Council Member Hansen made a motion, Hitchcock second, to adopt the revised Resolution No. 2005-38 (modifying Conditions R and EE) approving Use Permit File No. U-02-12, to allow the construction of a commercial shopping center in the Commercial Shopping (C-S) zone and sale of alcoholic beverages at the Wal-Mart Supercenter, and tentative Parcel Map 03-P-001, to create 12 parcels for the project relating to the Lodi Shopping Center; and further adding Condition FF that Wal-Mart shall provide proof of sale, to a non Wal-Mart related entity, of the existing Wal-Mart property located at 2350 W. Kettleman Lane prior to the issuance of the building permit for the new Wal-Mart Supercenter without condition on the right of purchaser to lease or sell the existing Wal-Mart building.

DISCUSSION:

Council Member Hansen believed that the majority of consumers in Lodi want this project to proceed. They have had an opportunity to vote on whether or not there would be a restriction on the size of retail, and have rejected it. Council has heard and weighed the issues. He stated that this is a project that would allow Lodi to have some impact on the seepage of tax dollars going outside the City.

Mayor Pro Tempore Hitchcock stated that Council has done its best to ensure the intent of the Planning Commission to eliminate blight and to continue to maintain revenue. The revised resolution provides the flexibility for a new building to be constructed at the old Wal-Mart site, which may provide even more revenue and be a valuable resource to the citizens of Lodi.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Hansen, Hitchcock, Johnson, and Mounce

Noes: Council Members – None

Absent: Council Members – Mayor Beckman

K. REGULAR CALENDAR

None.

L. ORDINANCES

None

M. ADJOURNMENT

→ There being no further business to come before the City Council, the meeting was adjourned at 9:04 p.m., in memory of Police Partner, Joe Nitzky, who passed away on January 25.

ATTEST:

Susan J. Blackston
City Clerk

CITY COUNCIL

JOHN BECKMAN, Mayor
SUSAN HITCHCOCK.

Mayor Pro Tempore

LARRY D. HANSEN

BOB JOHNSON

JOANNE MOUNCE

CITY OF LODI

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BLAIR KING

City Manager

SUSAN J. BLACKSTON

City Clerk

D. STEPHEN SCHWABAUER

City Attorney

February 17, 2005

To the Family of Joe Nitzky



IN MEMORY OF JOE NITZKY

On behalf of the City of Lodi we wish to extend our condolences to your family on your recent loss.

At the regular City Council meeting of February 16, 2005 Mayor Pro Tempore Susan Hitchcock adjourned the City Council meeting in memory of Joe Nitzky, who served his community for five years as a member of the Police Partners Program in the City of Lodi, California.

The adjournment statement will be recorded in the official minutes, which are permanent records of the City of Lodi.

We hope that in some small way this recognition provides a degree of solace to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan J. Blackston".

Susan J. Blackston
City Clerk

SJB/JLT

cc: City Council